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FACSIMILE COVER SHEET

Examiner: Rodney P. Swartz **Group:** 1645

Date: June 10, 2004

Client Code: 2631.1002-001

Facsimile No.: 703-872-9306

From: Sandra A. Brockman-Lee, Esq.

Subject: Paper: Final Office Action dated February 10, 2004

Docket No.: 2631.1002-001

Applicants: Raymond J. Dattwyler, Gerald Seinost, Daniel Dykhuizen, Benjamin J.
Luft and Maria J. C. Gomes-Solecki

Serial No.: 09/596,746

Filing Date: June 19, 2000

Number of pages including this cover sheet: 14

Please confirm receipt of facsimile: Yes ☐ No ☐

Comments:

@PFDesktop: ODMA\MHODMA\HBSR05\iManage.477355.1

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June 3, 2004

DOCKET NO. 2631 1002-001

Expedited Procedure under 37 C.F.R. 1.116

Examining Group 1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J. Dattwyler, Gerald Seinost, Daniel Dykhuizen, Benjamin J. Luft and Maria J. C. Gomes-Solecki

Application No.: 09/596,746 Group: 1645

Filed: June 19, 2000 Examiner: R. P. Swartz

Confirmation No.: 3998

For: GROUPS OF *BORRELLA BURGDORFERI* AND *BORRELLA AFZELII* THAT CAUSE LYME DISEASE IN HUMANS

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|--|---------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| <u>June 10, 2004</u> | <u>Beverly Weinberger</u> |
| Date | Signature |
| <u>Beverly Weinberger</u> | |
| Typed or printed name of person signing certificate | |

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1) (COL. 2) (COL. 3)

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|-------|--------------------------------------|------------------|
| TOTAL | 19 | MINUS | * 48 | 0 |
| INDEP | 4 | MINUS | ** 9 | 0 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

SMALL ENTITY

| | RATE | ADDIT. FEE |
|---|-------|---------------|
| X | \$ 9 | \$ |
| X | \$43 | \$ |
| + | \$145 | \$ |

OTHER THAN
SMALL ENTITY

| | RATE | ADDIT. FEE |
|---|-------|---------------|
| X | \$18 | \$ |
| X | \$86 | \$ |
| + | \$290 | \$ |

OR

TOTAL = \$ 0

TOTAL = \$ 0

* not fewer than 20

** not fewer than 3

09/596,746

-2-

Please charge Deposit Account No. 08-0380 for the following fees:

| | | | |
|-------------------------------------|--|----|-----|
| <input checked="" type="checkbox"/> | Petition for one month Extension of Time | \$ | 110 |
| <input type="checkbox"/> | Amendment Fee | \$ | |
| <input type="checkbox"/> | Other Fees: | | |
| | | \$ | |
| | | \$ | |
| | TOTAL: | \$ | 110 |

A check is enclosed in payment of the following fees:

| | | | |
|--------------------------|--|----|---|
| <input type="checkbox"/> | Petition for [] month Extension of Time | \$ | |
| <input type="checkbox"/> | Amendment Fee | \$ | |
| <input type="checkbox"/> | Other Fees: | | |
| | | \$ | |
| | | \$ | |
| | TOTAL: | \$ | 0 |

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By *Sandra A. Brockman-Lee*
Sandra A. Brockman-Lee
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Dated: June 10, 2004

Jun-10-04 04:06pm From:HBS&R
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June 10, 2004

1978-341-0136

T-878 P 05/14 F-151

Attorney's Docket No. 2631 1002-001
Expedited Procedure under 37 C.F.R. § 1.116
Examining Group 1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

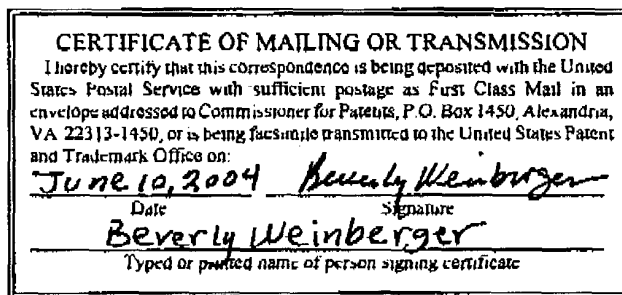
Applicants: Raymond J. Dattwyler, Gerald Seinost, Daniel Dykhuizen, Benjamin J. Luft and Maria J. C. Gomes-Solecki

Application No.: 09/596,746 Group: 1645

Filed: June 19, 2000 Examiner: R. P. Swartz

Confirmation No.: 3998

For: GROUPS OF *BORRELIA BURGDORFERI* AND *BORRELIA AFZELII* THAT CAUSE LYME DISEASE IN HUMANS



AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment After Final Rejection is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on February 10, 2004 in the above-identified application.

An extension of time for filing a Notice of Appeal from the Final Office Action dated February 10, 2004, is respectfully requested. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this amendment. A Notice of Appeal will be due on June 10, 2004

Please amend the application as follows: